

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

JASON CAMPBELL,

Defendant.

14-cr-231 (RA)

ORDER


RONNIE ABRAMS, United States District Judge:

The Court is in receipt of the attached letter from the Bureau of Prisons regarding the computation of Mr. Campbell's sentence. No later than March 6, 2024, the parties are directed to each submit a letter to the Court responding to the attached letter. Any replies shall be filed by March 13, 2024.

Elena Fast is hereby appointed to represent Mr. Campbell in connection with this matter. The Clerk of Court is respectfully requested to mail a copy of this Order to Mr. Campbell, Register Number: 70954-054, at USP Beaumont, U.S. PENITENTIARY, P. O. BOX 26030, BEAUMONT, TX 77720.

SO ORDERED.

Dated: February 21, 2024
New York, New York



Ronnie Abrams
United States District Judge



U.S. Department of Justice

Federal Bureau of Prisons

Designation and Sentence Computation Center

*U.S. Armed Forces Reserve Complex
346 Marine Forces Drive
Grand Prairie, Texas 75051*

February 6, 2024

The Honorable Ronnie Abrams
United States District Court Judge
for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

RE: CAMPBELL, Jason
Register Number: 70954-054
Case Number: 14-cr-00231-KBF-3

Dear Judge Abrams:

On November 3, 2014, Jason Campbell was sentenced by the Honorable Katherine B. Forrest to a 71-month term of confinement for Interference with Commerce by Threat or Violence. Mr. Campbell has requested credit for time spent in service of a state sentence, which the Bureau of Prisons (Bureau) considers a request for a retroactive designation, which would in turn make his federal sentence concurrent with his state term. This would be accomplished by the Bureau designating the state institution for service of his federal sentence under 18 U.S.C. § 3621(b). Such action would thereby reduce the total amount of time spent in custody. In Setser v. United States, 566 U.S. 231, 237 (2012), the United States Supreme Court held that the authority to order a federal sentence concurrent with or consecutive to any other sentence rests with the federal sentencing court. As Judge Forrest is no longer assigned this case, the Bureau is requesting guidance as to how Mr. Campbell's federal sentence should run with respect to sentences he has served with the State of New York.

At the time the federal sentence was imposed, Mr. Campbell was under the primary jurisdiction of state authorities in New York, and in federal custody pursuant to a writ of habeas corpus. The respective Judgment in a Criminal Case was silent regarding any relationship with the forthcoming action by the state. Following sentencing, Mr. Campbell was returned to state authorities and the U.S. District Court Judgment was filed as a detainer.

On July 22, 2015, Mr. Campbell was sentenced by the State of New York to a 5-year term of imprisonment for Attempted Robbery-Second Degree, in Bronx County Supreme Court Case Number 02043-2013. On this date, Mr. Campbell was also sentenced to a concurrent 1-year term of imprisonment for Criminal Possession of a Controlled Substance, in

Bronx County Criminal Court Case Number 2013BX010275. Lastly, he was sentenced to a concurrent 1-year term of imprisonment for Criminal Possession of a Controlled Substance, in Bronx County Criminal Court Case Number 2013BX046693. The state information received by the Bureau indicates the court in each of these cases intended their sentences to run concurrently with the federal sentence. On July 17, 2018, Mr. Campbell's state obligation was satisfied, and he was released to the federal detainer to commence the service of his federal sentence as provided by 18 U.S.C. § 3585(a).

On September 12, 2019, Mr. Campbell was also sentenced in the United States District Court for the Southern District of New York to a 23-year total term of confinement for Narcotics Conspiracy, Murder through Firearm During a Drug Trafficking Crime, and Use of a Firearm During a Drug Trafficking Crime, in Case Number 17CR54-02(NRB). At the time of sentencing in this case the court ordered, "The sentence imposed in this case is to run consecutively to any undischarged term of imprisonment previously imposed on the defendant." In accordance with 18 U.S.C. § 3584(c), and Bureau policy, Mr. Campbell's 23-year sentence has been aggregated with his 71-month sentence to form a single aggregate 23-year and 71-month federal sentence, commencing on July 17, 2018.

The Bureau strives to administer sentences in accordance with federal statutes, Bureau policy, and the intent of the sentencing court. If, after 60 days, a response has not been received from the Court, the Bureau will complete its review and make a decision regarding this case.

Should the Court indicate the sentence is to run concurrently with the state terms, the Bureau will commence the 23-year and 71-month aggregate federal sentence in the above judgments on November 3, 2014, which will result in Mr. Campbell's release from Bureau custody on or about July 28, 2038. Should the Court indicate the sentence is to run consecutively to the state terms, he will continue to a current projected release date of July 27, 2043.

We respectfully request that you please advise us in writing at your earliest convenience, as to the Court's position on a retroactive designation in this case. Should additional information be necessary, please contact Marcus Boudreaux, Correctional Programs Specialist, at 972-595-3189.

Sincerely,

Kathy Williams

Kathy Williams, Section Chief
Sentence Computations

mgb

cc: Brandon Thompson, AUSA
Tandis Farrence, Supervisory USPO